

Notice of Allowability

Application No.

09/679,212

Examiner

Quang N. Nguyen

Applicant(s)

GUPTA, DEEPAK

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 06/14/2004.
2. ☒ The allowed claim(s) is/are 1, 2, 4-15, 17-22 and 24.
3. ☒ The drawings filed on 10/04/2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Allowable Subject Matter

1. Claims 3, 16 and 23 have been cancelled. Claims 1, 2, 4-15, 17-22 and 24 are allowable.

2. The following is an Examiner's Statement of Reasons for Allowance:

In interpreting the claims, in light of the specification and the applicant's arguments filed on June 14, 2004, the Examiner finds the claimed invention to be patentably distinct from the prior art of record.

Shinomura-McDowell-Buckley teaches the invention substantially as claimed. Shinomura-McDowell-Buckley teaches a system and method for the sender to specify alternate recipients for an email message to be used in case the mail system cannot deliver the message to the original recipient via an embedded "Alternate Recipient" parameter in the GUI, i.e., the panel of Fig. 14 (see Shinomura, Fig. 14 and C13: L43-54). Shinomura-McDowell-Buckley also teaches a system and method for forwarding or re-routing of an email sent to a prior address to a new address of an intended recipient through the SMTP implementation via software or hardware tables in an ISP's server (see McDowell, C6: L20-29).

However, the prior art of record fails to teach or suggest individually or in combination a system and method comprising an extended alternate recipient parameter in the SMTP protocol within a self-rerouting email message that

specifies alternate recipients to be used in case the email system cannot deliver the self-rerouting email message to an original recipient, and ***to automatically attempt to forward the self-rerouting email message to the alternate recipients*** in case the self-rerouting email message cannot be delivered to the original recipient.

The Examiner finds the Applicant's arguments to be persuasive. The applicant argued in substance that the prior art of record failed to teach or suggest a system and method wherein an extended alternate recipient parameter in the SMTP protocol (such as ARCPT) is inserted within a self-rerouting email message that specifies alternate recipients to be used, to be forwarded to, in case the email system cannot deliver the self-rerouting email message to an original recipient without satisfying a predetermined condition or resending the email message to an alternate recipient previously stored in the address book or tables in an ISP's server (see Remarks, pages 11-13). See also specification, pages 4-6.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER

Quang N. Nguyen

Examiner

~~-Paul Kang~~

~~Primary Examiner~~

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